

by striking out all of paragraph (6) thereof and inserting in lieu thereof the following:

"Upon being advised that an application will be approved, the applicant shall provide the bond hereinafter required and a fee of Two Hundred Dollars (\$200) which shall constitute the certificate fee until August thirty-first of the odd-numbered year following the date of appointment. Thereafter, appointments shall be made for two-year periods and the certificate fee for each such period shall be Two Hundred Dollars (\$200). All certificate fees shall be placed in a fund in the State Treasury to be known as the Motor Vehicle Inspection Fund and shall be used by the Department to employ and equip State highway patrolmen in addition to the number of patrolmen now authorized by law, and employing and equipping of such additional patrolmen is hereby authorized, and for the administration of this Act. Any excess in such fund over and above the amounts otherwise appropriated by law is hereby appropriated for the employing and equipping of patrolmen as authorized herein."

The amendment was read.

(Pending discussion by Senator Ashley of his amendment, Senator Aikin occupied the Chair temporarily.)

(President in the Chair.)

Question—Shall the amendment by Senator Ashley to H. B. No. 39 be adopted?

Bill Signed

The President signed, in the presence of the Senate, after the caption had been read, the following enrolled bill:

S. B. No. 314, A bill to be entitled "An Act validating the incorporation of all cities and towns of 5,000 inhabitants or less, heretofore incorporated or attempted to be incorporated under the General Laws of this State; validating the boundary lines thereof; validating governmental proceedings and acts; providing that this Act shall not apply to any city or town now involved in litigation questioning the legality of the incorporation if such litigation is ultimately determined against the legality thereof; provid-

ing a severability clause; and declaring an emergency."

Adjournment

Senator Sadler moved the Senate stand adjourned until 10:30 o'clock Monday morning.

Yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—14

Ashley	Martin
Hardeman	McDonald
Hazlewood	Moffett
Kazen	Phillips
Kelley	Sadler
Lane	Secrest
Lock	Strauss

Nays—12

Aikin	Rogers
Bell	of Childress
Bracewell	Rogers of Travis
Colson	Russell
Corbin	Shireman
Latimer	Wagonseller
Parkhouse	

Absent

Moore	Willis
Rutherford	

Absent—Excused

Fuller	Weinert
--------	---------

Accordingly the Senate at 5:08 o'clock p. m. adjourned until 10:30 o'clock a. m. on Monday, May 18, 1953.

SIXTY-THIRD DAY

(Monday, May 18, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Colson	Moffett
Corbin	Moore
Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis

Russell	Strauss
Rutherford	Wagonseller
Sadler	Weinert
Secrest	Willis
Shireman	

Absent—Excused

Latimer

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, the psalmist said, I thought on my ways, I made haste and delayed not to keep thy commandments. We pray that we may be made to think on our parental, private and public ways; and that we may turn our feet unto thy teachings for strength and for a solution for all the problems now before us. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 14, 1953, was dispensed with and the Journal was approved.

Leave of Absence

Senator Latimer was granted leave of absence for today on account of important business on motion of Senator Kazen.

Reports of Standing Committees

Senator Moffett submitted the following report:

Austin, Texas,
May 15, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 523 have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Lock submitted the following reports:

Austin, Texas,
May 14, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. C. R. No. 48, have had the same under consideration, and we are instructed to

report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

LOCK, Chairman.

Austin, Texas,
May 14, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 886, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

LOCK, Chairman.

Austin, Texas,
May 14, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 816, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Austin, Texas,
May 11, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 163, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

LOCK, Chairman.

Message From the House

Hall of the House of Representatives,

Austin, Texas,
May 18, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 908, A bill to be entitled "An Act to amend Article III, Items 104 and 107 of House Bill No. 426 of the 52nd Legislature by transferring \$900 of appropriated and unused money to other purposes; and declaring an emergency."

H. B. No. 909, A bill to be entitled

"An Act to relinquish, confirm and grant unto the City of Corpus Christi, Texas, its heirs, successors and assigns, without limitation or reservation, all right, title and interest of the State of Texas in and to certain land in said City hitherto submerged by the waters of Corpus Christi Bay, and known as the American Legion Center; ratifying and confirming sales and conveyances of such property heretofore made; fixing the consideration for said grant and providing disposition of said funds and the issuance of a patent therefor; granting all minerals unto the City of Corpus Christi, Texas, its heirs, successors and assigns; declaring that the Act shall be cumulative of former grants and authorities; repealing all laws in conflict herewith; providing that invalidity of any part of this Act shall not invalidate remaining parts hereof; and declaring an emergency."

H. B. No. 914, A bill to be entitled "An Act amending Chapter 206, Acts of the Regular Session of the 42nd Legislature, 1931, by adding a section thereto to be known as Sec. 10a, providing that in the preparation of county budgets estimates shall be made of the revenue to be derived from taxes levied and collected during the year for which the budget is prepared and the estimate of revenue available during such year shall include the revenue to be derived from such taxes; repealing all laws in conflict; and declaring an emergency."

H. B. No. 773, A bill to be entitled "An Act amending Article 1171, Revised Civil Statutes, 1925, and declaring an emergency."

H. B. No. 780, A bill to be entitled "An Act establishing in the Texas Western College a Branch of the University of Texas, located at El Paso, a School of Nursing, and making an appropriation for said School for the years beginning September 1, 1953, and September 1, 1954; and declaring an emergency."

H. B. No. 804, A bill to be entitled "An Act amending Article 6227, Revised Civil Statutes, to increase the amount of the mortuary warrant to be issued upon the death of a Confederate Veteran or his widow from \$200 to \$350; and declaring an emergency."

H. B. No. 823, A bill to be entitled "An Act relating to food and lodging

of jurors; amending Article 1038 of the Code of Criminal Procedure of the State of Texas, 1925; and declaring an emergency."

H. B. No. 850, A bill to be entitled "An Act to authorize the Board for Texas State Hospitals and Special Schools to contract with licensed, private nursing establishments for the care of certain aged and senile persons committed to State hospitals; and declaring an emergency."

H. B. No. 854, A bill to be entitled "An Act fixing the compensation of certain county officials with a population of not less than five hundred thousand (500,000) inhabitants according to the last preceding or any future Federal Census; authorizing the Commissioners' Court to amend the county budget for the fiscal year of 1953 to grant increases in salaries of said officials herein provided; to be cumulative of other laws except to the extent of any conflict, but shall not repeal any laws now authorizing compensation for any officer in excess of twelve thousand dollars (\$12,000.00) or more per annum; and declaring an emergency."

H. B. No. 866, A bill to be entitled "An Act amending Article 6711, Revised Civil Statutes of Texas, 1925, as amended, providing for the establishment of roads giving the public access to properties now owned by freeholders, persons, firms or corporations who own lands to which they have no legal access, and provided means and methods of opening such roads, and providing payment of damages to the persons affected by such action; and declaring an emergency."

H. B. No. 901, A bill to be entitled "An Act providing for an open season when it shall be lawful to hunt, take or kill squirrel in Angelina County; fixing a penalty for the violation thereof; repealing conflicting laws; and declaring an emergency."

H. B. No. 905, A bill to be entitled "An Act creating the Harris County Sanitation District; prescribing its powers, authorities, duties and limitations; providing for a Board of Directors of the Authority and for an Advisory Board and prescribing their duties; authorizing the issuance of bonds and providing for the payment and security thereof; enacting other provisions relating to the subject;

providing a saving clause; and declaring an emergency."

H. B. No. 906, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to sell certain described tracts of land which are a part of the site of the Rusk State Hospital; prescribing the manner of sale; providing for disposition of the proceeds; making an appropriation; and declaring an emergency."

H. B. No. 588, A bill to be entitled "An Act repealing Chapter 19, Acts of the 17th Legislature, 1881, as continued in effect by Article 1970 of the Revised Civil Statutes of Texas, 1925, insofar as that chapter limits the jurisdiction of the County Court of Bandera County; providing for the transfer of certain cases upon the docket of the District Court having jurisdiction in Bandera County to the County Court; providing that all processes issued and bonds and recognizances made in certain cases before this Act takes effect shall be returnable to the County Court of Bandera County; repealing laws to the extent of the conflict; and declaring an emergency."

H. B. No. 636, A bill to be entitled "An Act to amend Article 6701h of the Revised Civil Statutes, commonly known and referred to as the Safety Responsibility Law or The Texas Motor Vehicle Safety Responsibility Act; by adding a new section thereto, to be known as Section 5a and providing that no security shall be required and no license of any operator of a motor vehicle shall be suspended and no registration of an owner of a motor vehicle shall be suspended until a determination of the responsibility of the person so charged, shall have been finally determined by a court of competent jurisdiction; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 648, A bill to be entitled "An Act authorizing the issuance of time warrants for and on behalf of certain school districts and containing provisions relating thereto; and declaring an emergency."

H. B. No. 661, A bill to be entitled "An Act to amend Article 2350 (6), Section 3 of the Revised Civil Statutes of Texas, 1925, as amended by raising the classification of counties which may pay the County Commis-

sioners of said county additional compensation from counties having not more than sixty-five thousand (65,000) inhabitants to counties having not more than seventy-five thousand (75,000) inhabitants; and declaring an emergency."

H. B. No. 712, A bill to be entitled "An Act to amend Article 4400, Revised Civil Statutes of the State of Texas, so as to provide that the Attorney General of Texas shall bring suits for recovery of State funds in the custody of or collected by persons charged with such custody or collection, and who shall be in arrears or default; and providing that the Attorney General shall institute criminal proceedings against persons misapplying or retaining State funds, and declaring an emergency."

H. B. No. 753, A bill to be entitled "An Act amending the Uniform Reciprocal Enforcement of the Duties of Support Act, being House Bill 192, Acts of the 52nd Legislature, Regular Session, 1951, page 643, and being Articles 2328b-1 through 2328b-3 of Vernon's Texas Civil Statutes by amending Section 2 of Part I of the Act by adding a new Section 2-A providing for a State Information Agency and defining its functions and duties; amending Section 8 of Part III of the Act by providing for filing fees and the exemption of fees under certain circumstances; amending Section 11 of Part III of the Act by specifying the number of copies of the Petition to be filed; amending Section 12 of Part III of the Act by clarifying the responsibility of the District or County Attorney upon the filing of the Petition, providing a repealing clause, a saving clause, and declaring an emergency."

H. B. No. 755, A bill to be entitled "An Act amending Article 6243f of Chapter 2, Title 109, of the Revised Civil Statutes of the State of Texas, as adopted in 1941, 47th Legislature, page 134, Chapter 105, relating to pensions for policemen, firemen and fire alarm operators; providing for pensions in the amount of one-half of the current base pay of a private for all persons who have been receiving pensions since the passage of this Act in 1941, and prior to its amendment in 1951; providing that nothing herein shall repeal or change Art. 6243f as herein provided; and providing that this Act shall be in addition to the provisions in Art. 6243f; providing a

savings clause; and declaring an emergency."

H. B. No. 482, A bill to be entitled "An Act authorizing the appointment of two (2) chief deputies for each tax assessor and collector in each county of this State having a population of 100,000 inhabitants or more to be known as the chief deputy assessor and the chief deputy collector; providing for their compensation; providing this Act shall be cumulative of existing laws relating to the appointment of chief deputies; and declaring an emergency."

H. B. No. 498, A bill to be entitled "An Act amending Sections 104, 105, and 131 of Senate Bill 172, Acts of the 50th Legislature, Chapter 421, page 967, being also known as Sections 104, 105 and 131 of Article 6701d of Vernon's Revised Civil Statutes of Texas; requiring the driver of a vehicle to stop for school buses receiving or discharging school children; making exceptions; prescribing signs for school buses and regulating the use thereof; authorizing the State Department of Education to regulate the design, color, lighting equipment, and operation of school buses; making it unlawful to operate flashing warning signals on school buses except under certain conditions; regulating the intensity of certain illuminating devices upon motor vehicles; making it unlawful to drive vehicles, equipped with red lights and flashing lights and making exceptions; providing a saving clause; repealing conflicting laws insofar as they conflict, and declaring an emergency."

H. B. No. 526, A bill to be entitled "An Act to amend Article 904 of the Penal Code of the State of Texas, 1925, by providing that disabled veterans of the Armed Forces of the United States may obtain an exemption certificate; providing a severance clause; and declaring an emergency."

H. B. No. 527, A bill to be entitled "An Act to amend Section 1 of Chapter 466, Acts of the 51st Legislature, 1949, by providing that disabled veterans of the Armed Forces of the United States may obtain an exemption certificate; providing a severance clause; and declaring an emergency."

H. B. No. 571, A bill to be entitled

"An Act creating four (4) additional District Courts in Harris County, Texas, to be known as the 136th, the 137th, the 138th and the 139th District Courts; adjusting the business of the existing District Courts to the business thereof; providing for the appointment and for the election of District Judges therefor; amending so much of Article 199, of the Revised Civil Statutes of Texas, as relates to the District Courts of Harris County, Texas, as amended by Acts, 1927, Fortieth Legislature, page 135, Chapter 88, Section 1, and by Acts, 1930, Forty-first Legislature, Fifth Called Session, page 131, Chapter 14, and by Acts, 1939, Forty-sixth Legislature, Regular Session, page 184, Chapter 15; and by Acts, 1947, Fiftieth Legislature, Regular Session, page 525, Chapter 308; and by Acts, 1949, Fifty-first Legislature, Regular Session, page 1354, Chapter 616; and by Acts, 1951, Fifty-second Legislature, Regular Session, page 504, Chapter 308; appropriating certain moneys for payment of salaries of said Judges; repealing all laws in conflict herewith to the extent of such conflict only; providing a cumulative and repealing clause; and declaring an emergency."

H. B. No. 576, A bill to be entitled "An Act prescribing what labels shall be printed in textbooks; amending Article 2876c, Revised Civil Statutes of 1925; repealing Article 2859, Revised Civil Statutes of 1925; and declaring an emergency."

H. B. No. 452, A bill to be entitled "An Act amending Article 7477, Chapter 1 of Title 128 of the Revised Civil Statutes of Texas, 1925; continuing the Board of Water Engineers as created and constituted by Acts of the Thirty-third Legislature, Chapter 171, General Laws, approved April 9, 1913, providing that members constituting said Board shall continue in office for the respective terms for which they were appointed and until their successors are appointed and qualified; provided that said Board shall be composed of three members appointed by the Governor by and with the advice and consent of the Senate; prescribing the term of office and qualifications of members; prescribing that each member shall take official oath as prescribed by law and execute bond in sum of Five Thousand Dollars (\$5,000.00) to be approved by the Governor and providing for the

payment of premiums on said bonds; providing that the Governor shall designate the Chairman of the Board who shall be the Chief Administrative Officer thereof and prescribing the salaries to be paid members; providing for the appointment, qualifications, and salary of a Chief Engineer, and prescribing his duties; providing for the appointment of a Secretary, prescribing the duties and salary of the Secretary; providing that the Secretary shall be custodian of all files and records of the Board; requiring Secretary to execute bond in the sum of Five Thousand Dollars (\$5,000.00) to be approved by the Board and payable to it; providing for the payment of premium on said bond; providing for regular and special meeting of the Board and prescribing a quorum; providing that a quorum shall be present at all times during any hearing conducted and requiring the Chairman or a member of the Board designated by him shall conduct all such hearings; providing for annual reports by the Board; providing that the members, Chief Engineer and employees of the Board shall receive their necessary traveling expenses while traveling on business of the Board; providing that the Attorney General shall represent the Board in all litigation to which it may be a party; providing for the employment of other legal counsel; providing that suits to enforce provisions of this Chapter may be prosecuted in the courts of this State by the Attorney General, or by any district or county attorney of the county of suit under the direction of the Attorney General at the request of the Board; providing for the appeal from any ruling, order, decision or other act of the Board, by any person affected; providing for review of any judgment or order of a district court on appeal to the Court of Civil Appeals, and by appeal or writ of error to the Supreme Court; providing that the Board may cooperate with agencies of the United States, with agencies of this State or any other States, with political subdivisions of the State and with persons; providing for the furnishing by the Board of certified copies of its proceedings, etc.; repealing Articles 7478, 7479, 7480, 7481, 7482, 7483, 7484, 7485, 7486, 7487, 7490, 7491, 7512, 7564, and 7569 of Chapter 1, Title 128 of the Revised Civil Statutes of Texas 1925; providing that the provisions

of this Act relate only to surface water and declaring an emergency."

H. B. No. 473, A bill to be entitled "An Act providing for the creation of county-wide independent school districts in counties having populations of not less than thirteen thousand five hundred (13,500), having no common school districts and no county-line school districts, and having more than one (1) and not more than four (4) independent school districts or independent and consolidated independent school districts and having an assessed valuation of not less than twenty million dollars (\$20,000,000.00); prescribing the procedure to be followed in forming such districts; providing for the appointment and election of trustees; defining duties, qualifications and terms of office of trustees; providing for tax elections, assumption of debt, issuance of bonds, and management of the schools; prescribing the method of taxation for maintenance bonds until an equalized tax may be voted and bonds assumed; abolishing County Boards of School Trustees in such instances; repealing all laws and parts of laws in conflict to the extent of the conflict; providing a savings clause and declaring an emergency."

H. B. No. 422, A bill to be entitled "An Act to amend Article 2795, Revised Civil Statutes of Texas, 1925, by adding thereto Subsection (a); providing for an election to authorize the appointment of an assessor of taxes for common school districts and providing for his compensation and duties; providing for a Board of Equalization for the district, and providing for its duties; and declaring an emergency."

H. B. No. 427, A bill to be entitled "An Act making it unlawful to feed garbage to livestock animals except under rules and regulations promulgated by the Livestock Sanitary Commission; defining garbage; stating conditions under which owners shall not receive indemnity payments; providing a penalty; providing a savings clause; and declaring an emergency."

H. B. No. 448, A bill to be entitled "An Act declaring the public policy of this State with reference to the establishment of a more comprehensive program for the prevention, abatement, and control of stream pollution; creating a five-member Water

Pollution Advisory Council and providing its function, and declaring an emergency."

H. B. No. 451, A bill to be entitled "An Act amending Article 7531 of Chapter 1 of Title 128 of the Revised Civil Statutes of Texas, 1925, providing that the Board of Water Engineers shall adopt rules and regulations and modes of procedure for the performance of duties, powers, and functions prescribed and vested in it by this Chapter and for the enforcement of its provisions; providing that the Board shall have a seal; providing that all such rules and regulations that are reasonable and do not conflict herewith shall be binding upon all persons affected; providing for the printing of said rules and regulations and the furnishing thereof to interested persons; providing for the publication of amendments to any existing rule and new rules before they shall become effective; giving the Board authority to enforce by injunction, mandatory injunction and other appropriate remedy, any and all reasonable rules and regulations promulgated which are not in conflict with this Chapter, and the enforcement of terms and conditions contained in declarations of appropriation and in permits to appropriate water heretofore granted and which may hereafter be granted by it, under authority of law; repealing Article 7488 of Chapter 1 of Title 128 of the Revised Civil Statutes of Texas, 1925, providing a savings clause and declaring an emergency."

H. B. No. 454, A bill to be entitled "An Act creating a Water Resources Committee; providing for its membership; prescribing the tenure of office of its members; providing for its organization; prescribing its powers, duties, and functions; providing for the emoluments of its members; making the necessary appropriations; repealing all laws in conflict; and declaring an emergency."

H. B. No. 459, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claim shall be paid from the funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and the At-

torney General; providing further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

H. B. No. 232, A bill to be entitled "An Act amending Article 6108 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 274, A bill to be entitled "An Act to amend Article III of Senate Bill No. 116, Acts of 51st Legislature, Regular Session, 1949, Ch. 334, by adding thereto a new Section to be designated Section 2, providing and prescribing method for the determination of professional unit eligibility of school districts located in or under jurisdiction of a county declared to be in a drought disaster area by the President of the United States or his designated agent; providing for effective date of Act; and declaring an emergency."

H. B. No. 279, A bill to be entitled "An Act amending House Bill No. 599, Chapter 260, Acts of the Fifty-second Legislature, at its Regular Session, 1951, by amending Section 3, and adding Sections 28, 29, 30, 31, 32, 33, and 34; containing a severable savings clause; and declaring an emergency."

H. B. No. 296, A bill to be entitled "An Act amending Article 1147 of the Penal Code of Texas, 1925, providing when and under what circumstances an assault or battery becomes aggravated; providing for severance of any part of this Act which may be held invalid; and declaring an emergency."

H. B. No. 298, A bill to be entitled "An Act amending Article 1234 of the Penal Code, which is a necessary measure in reducing the offense of negligent homicide to a single offense rather than an offense of two degrees; and declaring an emergency."

H. B. No. 380, A bill to be entitled "An Act amending Section 5 of Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, relating to restrictions on drivers of Public Junior College school buses and public or common carriers, by reducing the minimum age of Public Junior College school bus drivers from 21 years to 17 years; and declaring an emergency."

H. B. No. 398, A bill to be entitled

"An Act to amend Article 5517 of the Revised Civil Statutes of Texas, 1925, as amended, so as to provide that the right of the State, all counties, incorporated cities and all school districts shall not be barred by any of the provisions of this Title, nor shall any person ever acquire, by occupancy or adverse possession, any right or title to any part or portion of any road, street, alley, sidewalk, or grounds which belong to any town, city, or county, or which have been donated or dedicated for public use to any such town, city, or county by the owner thereof, or which have been laid out or dedicated in any manner to public use in any town, city, or county in this State; and declaring an emergency."

H. B. No. 402, A bill to be entitled "An Act regulating the sale, use, and transportation of hormone type herbicides; stating the purpose of this Act; defining certain terms; providing for licenses and fees for selling hormone type herbicides; providing for permits and fees for using hormone type herbicides; providing for inspections, payments of fees, and licenses for equipment; requiring bonds or crop damage insurance in certain instances; authorizing the Commissioner to regulate the sale, use, and transportation of hormone type herbicides; requiring the inspection of affected crops; requiring notice to the Commissioner when crops are affected; exempting certain bodies from the terms of this Act; allowing counties to appoint county herbicide inspectors; fixing penalties for violation of this Act and the regulations hereunder; establishing a herbicide fund; providing a sales clause; repealing Article 135-b-3; and declaring an emergency."

H. B. No. 114, A bill to be entitled "An Act making an emergency appropriation to the State Department of Agriculture for the operating expenses for the remainder of the fiscal year ending August 31, 1953, provided for its expenditures under the general provisions of House Bill No. 426, Regular Session, Fifty-second Legislature; and declaring an emergency."

H. B. No. 121, A bill to be entitled "An Act repealing Title 74 of the Revised Civil Statutes of Texas, 1925, the same being Articles 4597, 4598, 4599, 4600, and 4601, (creating the 'State Bureau of Child and Animal

Protection' and describing its duties) and declaring an emergency."

H. B. No. 135, A bill to be entitled "An Act to amend Section 37 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature and known as Chapter 61, page 100, of the General Laws passed by the Second Called Session of the 41st Legislature, and declaring an emergency."

H. B. No. 138, A bill to be entitled "An Act creating an additional District Court with civil-jurisdiction only, which shall have concurrent jurisdiction throughout and coextensive with the territorial limits of Bexar County, to be known as the 136th District Court; providing for terms of said Court; providing for the election of a Judge for said Court; providing for a Clerk of said Court; providing for the manner of handling cases on the docket of said Court; providing for transfer of cases or hearing by other Judges where Judge disqualified; providing for the signing of the minutes of said Court; providing for vacation of said Court; providing for election of special Judges; providing for appointment of official shorthand reporter and compensation of such reporter."

H. B. No. 141, A bill to be entitled "An Act to eliminate the disadvantage to Lamar State College of Technology, Beaumont, Texas, and Texas Southern University, Houston, Texas, occasioned by their exclusion from the benefits of the State tax to finance buildings at State institutions of higher learning; authorizing the elimination of tuition and laboratory fees at said institutions and the substitution of special building-use fees in lieu thereof for a specified time; authorizing the issuance of bonds or warrants by the respective governing bodies of said institutions to provide buildings and other permanent improvements and prescribing the terms and conditions upon which such bonds or warrants may be issued; providing that this Act may be cumulative of other laws and authorizing the collection of certain tuition and laboratory fees upon stated conditions; providing a saving clause; and declaring an emergency."

H. B. No. 145, A bill to be entitled "An Act to amend Article 2877, Revised Civil Statutes, 1925, to provide

for the changing of the name of the State Board of Examiners to State Board of Examiners for Teacher Education; providing that whenever such name of reference appears in any of the laws of this State shall mean and apply to the new name; to provide for the appointment of certain employees or officers of the public institutions of higher learning of Texas drawing a State salary warrant as such to serve as ex-officio members of the State Board of Examiners for Teacher Education, and designating such services of said Board as cumulative and ex-officio in nature; providing a saving clause; and declaring an emergency."

H. B. No. 31, A bill to be entitled "An Act creating an additional District Court, in and for Ector and Midland Counties, to be known as the 120th District Court; adjusting the business of the 70th District Court to the business thereof; providing for the appointment of a District Judge therefor; providing for a Clerk; providing for the appointment of an Official Shorthand Reporter and fixing his salary; fixing the terms of the 120th District Court created thereby; providing for the transfer of cases between said courts and for the exchange of benches; repealing all laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

H. B. No. 37, A bill to be entitled "An Act relating to exceptional children teacher allotments under the Foundation School Program by adding a provision that school districts eligible for special education grants under Senate Bill No. 38, Acts of the 49th Legislature, Regular Session, 1945, as amended by Senate Bill No. 123, Acts of the 50th Legislature, Regular Session, 1947, shall be eligible for allotments for special educational services for exceptional children, even though they may not qualify for other Foundation School Program Funds; and declaring an emergency."

H. B. No. 72, A bill to be entitled "An Act to authorize county clerks to destroy all chattel mortgages and chattel mortgage records which have remained on file for a period of more than ten years, unless an affidavit is filed as herein provided; providing a fee for filing affidavits declaring that all chattel mortgages and chattel mortgage records which have been

on file in such counties for a period of ten years shall be presumed to have been paid and the lien satisfied, and declaring an emergency."

H. B. No. 110, A bill to be entitled "An Act to amend Article 200a of Vernon's Revised Civil, Statutes of Texas, 1925, providing that the State of Texas shall be divided into nine administrative judicial districts, naming the counties composing each administrative judicial district; providing for appointment of presiding judges in each of said districts by the Governor; providing for the assignment of judges by the presiding judge of each administrative judicial district; providing for the appointment of a clerk of such administrative judicial district by the presiding judge for prescribing the duties of said clerk and fixing his salary; providing for conferences of district judges within each administrative judicial district and the keeping of minutes of such conferences; providing for requiring the district clerk of any county within such administrative judicial district to furnish information when requested in writing by the presiding judge of such administrative judicial district; providing for the payment of expenses of a district judge when assigned to sit for another district judge by the county in which such judge may sit upon approval of the presiding judge of the administrative judicial district in which such county is located; prescribing the compensation of the presiding judge of such administrative judicial district and providing the manner in which same shall be paid; providing for the payment of necessary expenses and purchase of necessary office equipment and supplies for such presiding judge of such administrative judicial district; providing for the payment of the salary and expenses of any clerk designated for such administrative judicial district and prescribing the method of payment thereof; providing for an official court reporter for judges assigned to sit in another judicial district; providing for his compensation and expenses and the manner of payment thereof; providing that the assignment of a district judge to sit in another judicial district by the presiding judge of an administrative judicial district shall be in writing and recorded in the minutes of the district court to which said judge is assigned; prescribing the authority

of a district judge assigned to sit in another judicial district; providing for the extension of terms of court by such district judge; providing for the district clerk and sheriff of any county to which a district judge is assigned to act as clerk and bailiff respectively of the court in which such judge is sitting; containing a severance clause and declaring an emergency."

H. C. R. No. 105, Requesting Hon. J. W. Edgar, Commissioner of Education of Texas, to appoint a committee to evaluate the potential of educational television for Texas, etc.

H. C. R. No. 110, Requesting Gov. Allan Shivers to redesignate the Texas Surplus Property Agency for continuation in the years 1953-54, and 1954-55, etc.

H. B. No. 898, A bill to be entitled "An Act making it unlawful to take or catch wild game or fish by certain methods and with certain equipment in the waters of Cooke and Grayson Counties, including Lake Texoma in Texas, and making it further unlawful to possess certain illegal equipment within five hundred (500) yards of any stream, lake or other fresh waters in Cooke and Grayson Counties, including Lake Texoma in Texas, providing a penalty; and declaring an emergency."

H. B. No. 915, A bill to be entitled "An Act granting to Willacy County Navigation District certain additional powers and authority; validating said District and bonds heretofore issued by it; containing a saving clause; and declaring an emergency."

H. B. No. 918, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the County of Duval, State of Texas, for a period of five (5) years; prescribing a penalty for violation of this Act, providing that all laws in conflict herewith are repealed; and declaring an emergency."

H. B. No. 66, A bill to be entitled "An Act amending Section 3 of Senate Bill No. 140, Chapter 29, Acts of the Fiftieth Legislature, Regular Session, 1947, by providing that the majority of the members of the Board of Directors of Texas Southern University shall be Negro citizens of this State; and declaring an emergency."

S. B. No. 148, A bill to be entitled "An Act providing that each valid and subsisting mineral lease heretofore issued by the Commissioner of the General Land Office of Texas covering rivers, channels, unsold school lands, both surveyed and unsurveyed, or any area within tidewater limits, including islands, lakes, salt water lakes, bays, inlets, marshes, the bed of the sea, and that portion of the Gulf of Mexico now or hereafter within the jurisdiction of Texas, shall be amended by the Commissioner by instrument in writing, upon application of the lessee, to provide, and that each such lease issued hereafter shall provide that in the event production of oil or gas shall cease from any cause, such lease shall not terminate if additional drilling or reworking operations are conducted; etc.; and declaring an emergency."

(With amendments.)

H. B. No. 315, A bill to be entitled "An Act amending Section 5 of Chapter 173, Acts of the Forty-seventh Legislature, Regular Session, 1941, relating to restrictions on drivers of school buses and public or common carriers, by reducing the minimum age of school bus drivers from twenty-one (21) years to seventeen (17) years; and declaring an emergency."

S. B. No. 341, A bill to be entitled "An Act creating the Texas Commission on Higher Education; describing its appointments, compensation, organization, duties and powers for studying the needs of higher education in this State; and declaring an emergency."

The House has adopted the Conference Committee report on H. B. No. 757.

The House has concurred in Senate amendments to House Bill No. 415 by vote of 122 yeas, 2 nays.

S. C. R. No. 54, Extending an invitation from the Legislature to all interested citizens of Texas to attend the pageant and pilgrimage to be presented at Old Indianola on Matagorda Bay on Sunday morning at 10:30 o'clock a. m., May 17, 1953.

S. B. No. 62, A bill to be entitled "An Act amending Section 148, Acts of the 50th Legislature, Chapter 421, page 967, being also known as Sec-

tion 148, of Article 6701d of Vernon's Revised Civil Statutes of Texas, 1925, to remove mandatory requirement of written notices to appear to certain persons arrested for speeding; extending the time for notices to appear in court; providing for severability; repealing conflicting laws to the extent of conflict; and declaring an emergency."

S. B. No. 71, A bill to be entitled "An Act amending Article 3888, Revised Civil Statutes of Texas, 1925, as amended; amending Sections 1 and 2 of Chapter 62, Acts of the 51st Legislature, Regular Session, 1949, as amended, the same being Article 2688c, Vernon's Civil Statutes of Texas; amending Article 2701, Revised Civil Statutes of Texas, 1925, as amended; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 166, A bill to be entitled "An Act amending Article 6704 of the Revised Civil Statutes of Texas, 1925, as amended, by making the provisions of subdivision 4 thereof applicable to all counties having a population of less than ten thousand (10,000) inhabitants; and declaring an emergency."

S. B. No. 173, A bill to be entitled "An Act to amend House Bill No. 168, Chapter 352, Acts of the 50th Legislature, Regular Session, 1947, as amended; fixing the credit to be accorded under the Employees Retirement System for military and war service in time of war or national emergency and fixing a basis for calculation of same; limiting prior service credit; providing a severability clause; and declaring an emergency."

S. B. No. 219, A bill to be entitled "An Act pertaining to the Teacher Retirement System of Texas, amending Subsection (d) of Section 8 of Chapter 470, Acts of the 45th Legislature, Regular Session, 1937, as amended by Chapter 376, Acts of the 47th Legislature, Regular Session, 1941; etc.; and declaring an emergency."

S. B. No. 240, A bill to be entitled "An Act to amend Article 1161, Revised Civil Statutes of Texas, 1925, providing for the appointment of a person to be City Clerk, and Assessor and Collector of Taxes; providing for the appointment of other officers of the city or town; providing for a good

and sufficient bond for the City Clerk; defining their duties and declaring an emergency."

S. B. No. 249, A bill to be entitled "An Act providing for automobile allowance to be paid to the sheriffs and their deputies in counties having a population of three hundred fifty thousand (350,000) inhabitants, or more, where the county does not furnish automobiles; repealing all laws in conflict; and declaring an emergency."

S. B. No. 269, A bill to be entitled "An Act to authorize the propagation of quail for commercial food purposes; to require licensing of such business by the Texas Game and Fish Commission; etc.; and declaring an emergency."

(With amendments.)

S. B. No. 291, A bill to be entitled "An Act to clarify the status of machinery used exclusively for drilling water wells with respect to registration and permit requirements for transportation over the public highways, by amending Section 2 of Chapter 88, General Laws of the 41st Legislature, Second Called Session, 1929, as amended (codified as Article 6675a-2 in Vernon's Texas Civil Statutes), and by amending subdivision (a) of Section 3, Chapter 42, General Laws of the 41st Legislature, Second Called Session, 1929, as amended (codified as Article 827a, Section 3 in Vernon's Texas Penal Code); repealing conflicting laws; and declaring an emergency."

(With amendment.)

S. B. No. 296, A bill to be entitled "An Act fixing the salary of the District Attorney of the 109th Judicial District of Texas; authorizing the Commissioners Courts of the counties comprising the 109th Judicial District to supplement the salary of the District Attorney and providing the method of supplementation; and declaring an emergency."

S. B. No. 311, A bill to be entitled "An Act authorizing and directing the execution and delivery by the Board of Texas State Hospitals and Special Schools, acting through the Executive Director thereof, of a right-of-way easement in certain lands in Bexar County, Texas, to the City of San Antonio for street purposes; etc.; and declaring an emergency."

S. B. No. 321, A bill to be entitled "An Act amending Subsections 7 and 114, Article 199, Title 8, Revised Civil Statutes of Texas, 1925, changing the time and term of holding the 7th Judicial District Court in Smith County, constituting the 7th Judicial District Court of Texas and the term of holding the 114th Judicial District Court in Wood and Smith Counties, constituting the 114th Judicial District of Texas; etc., and declaring an emergency."

S. B. No. 338, A bill to be entitled "An Act providing that in all Independent School Districts, whether created under the General Laws or by Special Act of the Legislature, having one hundred thousand (100,000) or more scholastics, according to the last preceding scholastic census, and wherein there is situated either wholly or in part a city having a population of five hundred seventy-five thousand (575,000) or more inhabitants according to the last preceding Federal Census, it shall be the duty of the Business Manager under the direction of the Superintendent prior to the first Monday in August of each year to prepare a carefully classified estimate of receipts and expenditures for the ensuing scholastic year beginning on September 1st and ending on August 31st, and submit the same to the Board of Trustees of any such school district for its approval; etc., and declaring an emergency."

S. B. No. 339, A bill to be entitled "An Act authorizing school districts having all or the major portion of their territory situated within counties of seven hundred thousand (700,000) inhabitants or more, according to the last preceding Federal Census, to levy, assess and collect a combined bond and maintenance tax not to exceed Two (\$2.00) Dollars on the One Hundred (\$100.00) Dollars valuation of taxable property therein; etc., and declaring an emergency."

S. B. No. 342, A bill to be entitled "An Act creating 'Refugio County Water Control and Improvement District Number One,' a Conservation and Reclamation District as authorized by Section 59 of Article XVI of the Texas Constitution; etc., and declaring an emergency."

(With amendment.)

H. B. No. 299, A bill to be entitled "An Act amending Article 1231 of the Penal Code and repealing Articles 1230, 1238, 1239, 1240, 1243 of the

Penal Code, by reducing the offense of negligent homicide to a single offense rather than an offense of two degrees; and declaring an emergency."

H. B. No. 297, A bill to be entitled "An Act amending Article 1237 of the Penal Code and repealing Article 1243 of the Penal Code by providing a penalty for negligent homicide not to exceed three (3) years in the penitentiary or confinement in jail not to exceed two (2) years or fine not to exceed Two Thousand Dollars (\$2,000) or both confinement in penitentiary or imprisonment in jail and fine; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 55

Senator Bell offered the following resolution:

S. C. R. No. 55, Requesting Legislative Council to study proposed amendment of Article V, the Judiciary Article of State Constitution.

Whereas, A revision of the Judiciary Article of the Texas Constitution has been proposed by a special committee of the State Bar of Texas; and

Whereas, Such proposal has been drafted after long and careful study, with the aid of the Southwestern Legal Foundation, and of the faculties of the leading law schools of the State, and with the benefit of studies carried on for a number of years by the Texas Civil Judicial Council; and

Whereas, On a referendum to the membership of the State Bar of Texas the proposal has been approved by an overwhelming majority of those who participated in the referendum; and

Whereas, The subject is of great importance to the people of Texas; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring:

Section 1. The Texas Legislative Council is requested to make a study of the proposed amendment of Article V, the Judiciary Article of the Texas Constitution, and to report its findings and recommendations to the 54th Legislature.

Section 2. The Legislature suggests that the Texas Legislative Council in making its study may enlist the cooperation and assistance of the State Bar of Texas, the Texas Civil Judi-

cial Council, the law faculties of the accredited Law Schools of the State, the Southwestern Legal Foundation, and other groups and institutions that have devoted special study to the problem.

The resolution was read.

Senator Bell asked unanimous consent to consider the resolution immediately.

There was objection.

Senate Resolution 280

Senator Hardeman offered the following resolution:

Whereas, Throughout the ages man has been comforted, edified and entertained by the lyrics and odes of the psalmists and poets; and

Whereas, The inspirational value of poetry is recognized throughout the world as it strengthens the sympathies, expresses emotions, fires the imagination and brings spiritual peace to humanity; and

Whereas, The Legislature of the State of Texas, in cooperation with the Governor, in recognition of the contributions and as a tribute to the poets of the ages, have chosen a Poet Laureate and an Alternate Poet Laureate for the State as representatives of this group; and

Whereas, These individuals typify the esteem in which the poet is held in literature and as an influence for good upon the people; and

Whereas, We are honored today by the presence of Mildred Lindsey Raiborn and Dee Walker, Poet Laureate and Alternate Poet Laureate, respectively; now, therefore, be it

Resolved, By the Senate of Texas, that the official welcome of the Senate be extended these two outstanding poets, and that they be presented to the Senate, and that a copy of this resolution, bearing the official seal of the Senate, be presented to each of them and to the Texas Council for the Promotion of Poetry.

HARDEMAN
BRACEWELL
PHILLIPS

The resolution was read and was adopted.

The President announced the appointment of the following as a committee to escort Mrs. Raiborn and Mr. Walker to the President's stand:

Senators Ashley, Bracewell, Phillips and Hardeman.

The President presented Senator Ashley, a former poet laureate of the State of Texas, as master of ceremonies.

Senator Ashley presented Senator Hardeman who introduced Mrs. Mildred Lindsey Raiborn to the Senate. Mrs. Raiborn addressed the Senate briefly and thanked the Members for the honor bestowed on her.

Senator Ashley then presented Senator Phillips and he introduced Mr. Dee Walker to the Senate. Mr. Walker addressed the Senate and thanked the Members for the honor bestowed on him.

Senate Concurrent Resolution 56 on First Reading

Senator Hardeman moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers of Travis
Colson	Russell
Corbin	Rutherford
Fuller	Sadler
Hardeman	Secrest
Hazlewood	Shireman
Kazen	Strauss
Kelley	Wagonseller
Lane	Weinert
Lock	Willis
Martin	

Nays—1

Moore

Absent

McDonald	Rogers of Childress
----------	------------------------

Absent—Excused

Latimer

The following resolution was then introduced, read first time and referred to the committee indicated:

By Senator Hardeman:

S. C. R. No. 56—Granting W. M. Johnson permission to sue the State.

Whereas, On February 9, 1953 W. M. Johnson was driving a 1951 Chevrolet Sedan, owned by him, on Farm and Market Road No. 27, one and one-half (1½) miles west of Wortham, Texas; and

Whereas, At said time he was hit by a State Highway Department truck; and

Whereas, Said car was damaged to the extent of Four Hundred Sixty-nine Dollars and Forty Cents (\$469.40) for repairs as a result of this accident; and

Whereas, The daughter of W. M. Johnson, who was a passenger in said car driven by Mr. Johnson, suffered severe personal injuries, also as a result of this accident; and

Whereas, Said W. M. Johnson claims that the State of Texas is liable for said damages and personal injury; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the said W. M. Johnson be granted permission to bring suit against the State of Texas in a court of competent jurisdiction to ascertain and fix the amount, if any, the State of Texas may be entitled to pay the said W. M. Johnson on account of the damages and personal injury alleged to have been suffered as a result of this accident, and in case such suit is filed, service of citation shall be had upon the Attorney General of Texas, but this resolution shall not be construed as admission of liability against the State of Texas, and all essential facts as to neglect and damages, if any, shall be proved as in other similar cases and either party may appeal from any judgment as in other similar cases.

To the Committee on Civil Jurisprudence.

Conference Committee Report on House Bill 757

Senator Willis submitted the following conference committee report on H. B. No. 757:

Austin, Texas,
May 14, 1953.

Hon. Ben Ramsey, President of the Senate.

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the Senate and the House of

Representatives on H. B. No. 757, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

WILLIS
WAGONSELLER
CORBIN
MOORE

On the part of the Senate.

SAYERS
COWEN
ABINGTON
SMITH of Tarrant
KENNARD

On the part of the House.

H. B. No. 757, A bill to be entitled "An Act to create a County Criminal Court for Tarrant County, Texas; prescribing the jurisdiction of said Court; prescribing the powers of said Court; prescribing the terms thereof, the practice therein and the appeals therefrom; providing for the appointment and election of a Judge of said Court; providing a bond and oath of office; providing for the election of special Judges and the services of a clerk of said Court; providing for the appointment of two (2) deputy sheriffs and prescribing their qualifications and salary; prescribing salary of said Judge; providing for his removal; providing for the appointment of an additional Assistant Criminal District Attorney; prescribing the salary of said Assistant Criminal District Attorney; providing for the appointment of an additional Criminal Investigator in the Criminal District Attorney's office; prescribing the salary of said Criminal Investigator; providing for the preserving of records in cases in said Court and for the appointment of a Reporter; prescribing the salary of such Reporter and providing for the transfer of cases; providing a repealing clause, severability clause; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That there shall be created a Court to be held in Tarrant County, Texas, to be known and designated as "The County Criminal Court of Tarrant County, Texas."

Sec. 2. The County Criminal Court of Tarrant County, Texas, shall have and same is hereby vested with concurrent jurisdiction within the said County of all criminal matters and causes, original and appellate, that is

now vested in the County Courts having jurisdiction in civil and criminal cases under the Constitution and Laws of Texas, except as provided in Section 3 of this Act.

Sec. 3. The County Court of Tarrant County, Texas, shall retain as heretofore its jurisdiction as a juvenile court, the general jurisdiction of a probate court; it shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis, and habitual drunkards, and grant letters testamentary and of administration, settle accounts of administrators, executors and guardians, transact all business pertaining to deceased persons, minors, idiots, lunatics, persons non compos mentis, and common drunkards, including the settlements, partition and distribution of the estates of deceased persons; and of apprenticing minors as provided by law. The County Judge of Tarrant County shall be the Judge of the County Court of Tarrant County, Texas, and all ex officio duties of the County Judge shall be exercised by the said Judge of the said County Court, except as in so far as the same shall, by this Act, be committed to the Judge of the County Criminal Court of Tarrant County, Texas; and except such as have heretofore been conferred upon the Judge of the County Court at Law of Tarrant County, Texas.

Sec. 4. The County Criminal Court of Tarrant County, Texas, or the Judge thereof, shall have the power to issue writs of habeas corpus and grant injunctions for the enforcement of the penal laws, in cases where the offense charged is within the jurisdiction of said Court or any court or tribunal inferior to said Court; and shall also have power to punish for contempt under such provisions as are now or may be provided by the general law governing county courts through the State.

Sec. 5. The terms of the County Criminal Court of Tarrant County, Texas, and the practice therein and appeals therefrom shall be as prescribed by law relating to the county courts. The terms of said County Criminal Court shall be held not less than four (4) times each year and the Commissioners Court of Tarrant County, Texas, shall fix the time at which said Court shall hold its terms, until the same may be changed according to law.

Sec. 6. As soon as may be after the

passage of this Act, there shall be appointed by the Commissioners Court of Tarrant County in accordance with the law, a Judge of the County Criminal Court, hereby created, who shall be well informed in the laws of the State and who shall hold his office until the next succeeding General Election and until his successor shall have duly qualified. The Judge of said Court elected at any General Election shall hold office for two (2) years and until his successor shall have duly qualified; provided, that no person shall be eligible for Judge of said Court unless he shall be a citizen of the United States and of this State, who shall have been a practicing lawyer of this State or a Judge of a court in said State for four (4) years next preceding his appointment or election, and who shall have resided in the County of Tarrant for two (2) years next preceding his appointment or election.

Sec. 7. The Judge of the County Criminal Court of Tarrant County, Texas, shall execute a bond and take the oath of office as required by the law relating to County Judges.

Sec. 8. A special Judge of the County Criminal Court of Tarrant County, Texas, may be appointed or elected as provided by the laws relating to county courts and the Judges thereof.

Sec. 9. The County Clerk of Tarrant County, Texas, shall be the Clerk of the County Criminal Court of Tarrant County, Texas, the seal of said Court shall be the same as provided for county courts, except that the seal shall contain the words "The County Criminal Court, Tarrant County, Texas." The Sheriff of Tarrant County, Texas, shall in person or by deputy, attend said Court when required by the Judge thereof. As soon as may be after the passage of this Act the Sheriff of Tarrant County, Texas, shall appoint two (2) deputy sheriffs in addition to the staff now authorized for the sheriff's office; such two (2) deputy sheriffs shall conform to the qualifications generally prescribed for deputy sheriffs. Said two (2) deputy sheriffs shall receive a salary as fixed by the Commissioners Court in an amount not exceeding the maximum salary now authorized for deputy sheriffs, to be paid monthly out of the County Treasury by the Commissioners Court from any fund available for this purpose.

Sec. 10. The Judge of the County

Criminal Court of Tarrant County, Texas, shall collect the same fee provided by law for county judges in similar cases, all of which shall be paid by him monthly into the County Treasury, and the Judge of said Court shall receive a salary as fixed by the Commissioners Court not to exceed Eight Thousand, Nine Hundred Dollars (\$8,900) per annum, to be paid monthly out of the County Treasury by the Commissioners Court; such Judge shall devote his entire time to the duties of his office, and shall not engage in the practice of law while in office.

Sec. 11. The Judge of the County Criminal Court of Tarrant County, Texas, may be removed from office in the same manner, and for the same causes as any other county judge may be removed under the laws of this State.

Sec. 12. As soon as may be after the passage of this Act there shall be appointed by the Criminal District Attorney of Tarrant County one (1) Assistant Criminal District Attorney who shall conform to the qualifications generally prescribed for Assistant Criminal District Attorneys, such appointment to be in addition to the staff authorized for the Criminal District Attorney of Tarrant County at the time of the passage of this Act. Said additional Assistant Criminal District Attorney shall receive a salary as fixed by the Commissioners Court not less than Five Thousand, Four Hundred Dollars (\$5,400) per annum, nor more than Six Thousand Dollars (\$6,000) per annum, to be paid monthly out of the County Treasury by the Commissioners Court from any funds available for this purpose.

Sec. 13. As soon as may be after the passage of this Act there shall be appointed by the Criminal District Attorney of Tarrant County in accordance with the law one (1) Criminal Investigator who shall conform to the qualifications generally prescribed for Criminal Investigators, such appointment to be in addition to the staff authorized for the Criminal District Attorney of Tarrant County at the time of the passage of this Act. Said additional Criminal Investigator shall receive a salary as fixed by the Commissioners Court not less than Three Thousand, Six Hundred Dollars (\$3,600) per annum, nor more than Four Thousand, Two Hundred Dollars (\$4,200) per annum, plus the usual automobile allowance, to be paid monthly out of the County

Treasury by the Commissioners Court from any funds available for this purpose.

Sec. 14. For the purpose of preserving a record in all cases for the information of the Court, jury, and parties, the Judge of the County Criminal Court of Tarrant County, Texas, shall appoint an official shorthand reporter, who shall be well skilled in his profession, shall be a sworn officer of the Court and who shall hold his office at the pleasure of the Court; the provisions of the General Laws of Texas relating to the appointment of stenographers for the District Courts shall, and is hereby made to apply in all its provisions, in so far as they are applicable to the official shorthand reporter herein authorized to be appointed, and said reporter shall be entitled to the same fees and salary and shall perform the same duties and shall take the same oath as are in said laws provided for the stenographers of District Courts of this State, and also be governed by any other laws covering the stenographers of the District Courts of this State; provided, that the official shorthand reporter of said court shall not be required to take testimony in cases where neither party litigant nor the Judge demands it; but where the testimony is taken by said reporter a fee of Three Dollars (\$3) shall be taxed by the clerk as costs in the case, the said Three Dollars (\$3), when collected, to be paid into the County Treasury of Tarrant County, Texas.

Sec. 15. As soon as may be after this Act takes effect the Clerk of the County Court at Law of Tarrant County, Texas, and the Clerk of the Criminal District Court of Tarrant County, Texas, and the Clerk of the Criminal District Court No. 2 of Tarrant County, Texas, may transfer to the docket of the County Criminal Court of Tarrant County, Texas, hereby created, any of the criminal cases then pending in any of the said Courts and which may properly come within the jurisdiction of the County Criminal Court of Tarrant County, Texas, hereby created, and thereafter the Judge of any of the four (4) said Courts may, in his discretion, transfer any cause or causes that may at any time be pending in his Court to any of the other Courts by an order or orders entered in the minutes of his Court, provided however, that the Court to which any such cause is transferred would have had proper

jurisdiction of such cause or causes if such cause or causes had been originally instituted in said Court; and the Judge of the Court to which such transfer or transfers are made shall dispose of said cause or causes in the same manner as if such cause or causes were originally instituted in said Court.

Sec. 16. All laws or parts of laws in conflict herewith are hereby expressly repealed in so far as such conflict exists.

Sec. 17. If any word, sentence, part or Section of this Act shall be held unconstitutional or invalid for any reason, the remainder of the Act shall, nevertheless, be in full force and effect.

Sec. 18. The fact that the dockets of the Criminal District Court of Tarrant County, Criminal District Court No. 2 of Tarrant County and the County Court at Law of Tarrant County now have a great number of cases pending and undisposed of, and the further fact that such condition prevents the defendants from receiving a speedy public trial, as guaranteed by the Constitution of the State of Texas, and the failure also results in defendants escaping by reason of the delay occasioned by the crowded condition of such dockets, create an emergency and an imperative public necessity which requires the suspension of the Constitutional Rule that bills be read on three separate days in each House, and said Rule is hereby suspended, and this Act shall take effect immediately from and after its passage, and it is so enacted.

The report was read and was adopted.

Record of Vote

Senators Hardeman and Ashlev asked to be recorded as voting "nay" on the adoption of Conference Committee report on H. B. No. 757.

Senate Bill 148 With House Amendments

Senator Strauss called S. B. No. 148 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Strauss moved that the Senate do not concur in the House amendments, but that a conference committee

be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Strauss, Bell, Hardeman, Fuller and Sadler.

Senate Bill 71 With House Amendments

Senator Corbin called S. B. No. 71 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Corbin moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Corbin, Kelley, Moore, Wagonseller and Willis.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 43, A bill to be entitled "An Act amending Uniform Act regulating traffic on highways, Chapter 421, Senate Bill 172, Acts of a Regular Session of the 50th Legislature, providing authority in the State Highway Commission to further establish, modify and change from time to time the rate of speed of motor vehicles and the erection, removal and maintenance of light signals, Stop and Slow signs and other traffic indicators upon State designated highways, a part of the State Highway System as designated by the State Commission to adopt and amend a manual and specifications for traffic signals in towns of less than 2,500 population according to the last Fed-

eral Census; providing for the administration thereof and for fines, penalties and suits for the enforcement thereof; providing for the manner, means and method of establishing and maintaining said signals, and declaring an emergency."

H. B. No. 205, A bill to be entitled "An Act repealing Chapter 39, page 107, of the Acts of the First Called Session of the 51st Legislature, 1950, prohibiting the sale of fresh water fish weighing under 10 pounds in Bastrop County, and declaring an emergency."

H. B. No. 316, A bill to be entitled "An Act providing for the issuance of interest-bearing time warrants by school districts for the purpose of repairing and renovating school buildings, purchase of schoolroom and athletic equipment, equipping school properties with necessary heating, water, sanitation, lunchroom and electric facilities, acquiring sites for living quarters for teachers, for playgrounds, for stadia, and for athletic fields; etc.; and declaring an emergency."

H. B. No. 321, A bill to be entitled "An Act deleting reference to the capital stock tax; amending Article 7063, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 322, A bill to be entitled "An Act repealing the tax on terminal companies, Article 7072, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 405, A bill to be entitled "An Act authorizing governing bodies of cities, towns and villages to purchase real property and improvements thereon for municipal purposes from the Federal Government when offered for sale; validating all actions and negotiations of governing bodies of cities, towns and villages prior to the effective date of this Act relating to the purchase of real property from the Federal Government; authorizing said governing bodies to sell and convey property so acquired when no longer needed for the purposes for which acquired or when such purpose or purposes no longer exist; providing a savings clause; repealing all laws or parts of laws in conflict with the provisions of this Act; and declaring an emergency."

H. B. No. 431, A bill to be entitled "An Act to amend Chapter 399, Sec-

tion 1, Acts of the 52nd Legislature, 1951, by providing that no county auditor shall hereafter be appointed in any county having a population of not more than twenty-five thousand five hundred (25,500) and not less than three thousand (3,000) where no such county auditor has been appointed by the District Judge prior to the effective date of this Act, except upon the petition of the County Commissioners Court and in all such counties the duties of such county auditor in such counties shall be performed by other officers as may be prescribed by general law; and declaring an emergency."

H. B. No. 445, A bill to be entitled "An Act amending Chapter 302, Acts of the 52nd Legislature, 1951, which authorizes the Commissioners Court of certain counties to establish traffic zones on county roads and to otherwise regulate the presence and operation of motor vehicles on such roads and prescribes penalties for violation of its provisions, by having it applicable to all counties having a population of 500,000 or more; and declaring an emergency."

H. B. No. 519, A bill to be entitled "An Act to amend Article 4365 of the Revised Civil Statutes of 1925, providing that the federal agencies, state courts, schools, school districts, departments and other state agencies shall not be required to give bond for the issuance of duplicate warrant when the original has been lost or destroyed; and declaring an emergency."

H. B. No. 520, A bill to be entitled "An Act providing it shall be unlawful for a person to take or kill more than one wild turkey in the County of Freestone in any one hunting season; providing a penalty for violation of said Act; and declaring an emergency."

H. B. No. 548, A bill to be entitled "An Act to amend subdivision (4)b of Section 1 of Article III of Senate Bill 116, Chapter 334, Acts of the 51st Legislature, 1949, as amended by Senate Bill 44, Chapter 39, Acts of the 52nd Legislature, 1951, (Art. 2922-13, V.A.C.S.) by providing that a school district may use property outside certain limits of the district within or without the State for the education of exceptional children; making certain requirements; repealing laws in conflict; and declaring an emergency."

H. B. No. 578, A bill to be entitled "An Act amending Article 6528, Revised Civil Statutes of Texas of 1925, by providing that at the direction of the Secretary of State his seal of office and his official signature in endorsements on bonds registered by him under said statute may be his facsimile seal and his facsimile signature; and declaring an emergency."

H. B. No. 595, A bill to be entitled "An Act providing an open season for deer and turkey and bag and possession limits thereon in Hopkins, Delta, and Franklin Counties; fixing a penalty for violation thereof; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 598, A bill to be entitled "An Act relating to the use of dogs in hunting deer; amending Acts Thirty-ninth Legislature, Chapter 172, Sec. 25, as amended, exempting Shelby County from the provisions of such Act; and declaring an emergency."

H. B. No. 624, A bill to be entitled "An Act to amend Section 5 of Senate Bill No. 422, Chapter 362, page 692 of the General and Special Laws passed by Regular Session of the 51st Legislature, making the County Court at Law of Nueces County a court of continuous term; and declaring an emergency."

H. B. No. 654, A bill to be entitled "An Act creating within the State of Texas, in addition to the Districts into which the State has heretofore been divided, a District to be known as Orange County Navigation Conservation and Port District of Orange County, Texas, etc., and declaring an emergency."

H. B. No. 843, A bill to be entitled "An Act providing that the Board of Trustees of all rural High School Districts and county line rural High School Districts in this State shall, at all times, have the right to enter into contracts of employment with a Superintendent, Principals, and Teachers and other executive officers of such School District for a term not to exceed three years; providing that all twelve-month contracts made with any such employees shall begin on July 1st and end on June 30th in the year terminating the contract; providing that all such contracts shall be approved by the county superintendent of the county having jurisdiction and supervision of such rural

High School Districts; repealing all laws and parts of laws in conflict and declaring an emergency."

H. B. No. 847, A bill to be entitled "An Act to amend Article 4346 of the Revised Civil Statutes of Texas to provide that all deeds conveying land or interests in land to the State of Texas for the use of the State Highway Department for highway purposes be deposited in the offices of the State Highway Department in Austin, Texas, and directing the Comptroller of Public Accounts to transfer to the State Highway Department all such deeds and instruments of conveyance heretofore deposited in his office, along with all of the files and filing equipment used by him in maintaining such files, and declaring an emergency."

H. B. No. 848, A bill to be entitled "An Act amending Chapter 128, page 223, Acts of the 50th Legislature of Texas, Regular Session, 1947, by adding a new Section authorizing the abolition of water control and improvement districts which, when created, were composed of territory situated wholly within the boundaries of an existing incorporated city; etc., and declaring an emergency."

H. B. No. 878, A bill to be entitled "An Act authorizing private corporations to be formed to sell and service television receiving sets and equipment and to engage in the installation and servicing of central aerial equipment; and declaring an emergency."

H. B. No. 889, A bill to be entitled "An Act amending Chapter 4, Acts of the 51st Legislature, First Called Session, 1950 (codified as Article 1528c in Vernon's Texas Civil Statutes), by changing the definition of 'rural area' contained in Section 2 to mean any area in this State located outside the boundaries of any incorporated or unincorporated city, town, or village having a population in excess of one thousand six hundred inhabitants, and by changing Subsection (5) of Section 4 so as to prohibit a telephone cooperative from furnishing local telephone exchange service within the boundaries of any incorporated or unincorporated city, town or village within this State having a population in excess of one thousand six hundred inhabitants; and declaring an emergency."

H. B. No. 891, A bill to be entitled "An Act to make available to the

Lamar State College of Technology the funds available in a special State Treasury Account and make such appropriation to the Board of Regents of said College to be expended for the construction of buildings on the campus of said school pursuant to the general laws of this State; and declaring an emergency."

H. C. R. No. 47; Authorizing Ruthie May Bell of Denton, Texas, to sue the State of Texas.

H. C. R. No. 111, In tribute to the Daughters of the Republic of Texas.

H. B. No. 361, A bill to be entitled "An Act exempting institutions or organizations such as the San Antonio Conservation Society, chartered by the State of Texas for the purpose of preserving historical landmarks and sites; and declaring an emergency."

H. B. No. 500, A bill to be entitled "An Act providing an open season for hunting, taking and killing quail of any species in Johnson County; fixing the days on which hunting shall be permitted; fixing a penalty; repealing all laws in conflict with this Act; and declaring an emergency."

H. B. No. 874, A bill to be entitled "An Act to regulate the taking of fish from the Colorado River in the counties of Mills and San Saba; prescribing a penalty; repealing laws in conflict to the extent of such conflict; and declaring an emergency."

Presentation of Guests

Senator Rogers of Travis presented the students of the Third Grade Class of Pease School of Austin, accompanied by their teacher, Mrs. Thomason, to the Members of the Senate.

Senate Bill 20 on Second Reading

On motion of Senator Wagonseller and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 20, A bill to be entitled "An Act amending Art. 3.06, Art. 3.22 and Art. 3.60 of Senate Bill 236, known as the Insurance Code, Acts 1951, 52nd Legislature; providing severability; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 20 on Third Reading

Senator Wagonseller moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 20 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Parkhouse
Ashley	Rogers
Bell	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hazlewood	Rutherford
Kelley	Secrest
Lock	Shireman
Martin	Strauss
McDonald	Wagonseller
Moffett	Weinert
Moore	

Nays—2

Lane	Sadler
------	--------

Absent

Bracewell	Kazen
Colson	Phillips
Hardeman	Willis

Absent—Excused

Latimer

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senators Lane, Sadler and Hardeman asked to be recorded as voting "nay" on the final passage of S. B. No. 20.

Senate Bill 15 on Second Reading

On motion of Senator Wagonseller and by unanimous consent, the President laid before the Senate for consideration at this time S. B. No. 15. (The bill having been read the second time on Tuesday, April 28, 1953.)

Question—Shall S. B. No. 15 be passed to engrossment?

The bill was passed to engrossment.

The President laid before the Senate on its third reading and final passage the following bill:

S. B. No. 15, A bill to be entitled "An Act amending Art. 11.02, Art. 11.10, Art. 11.12 and Art. 11.17 of Senate Bill 236 known as the Insurance Code, Acts 1951, 52nd Legislature; providing that this Act shall not apply to companies now doing business; providing severability; and declaring an emergency."

The bill was read the third time and was passed.

Record of Vote

Senators Lane, Russell and Hardeman asked to be recorded as voting "nay" on the final passage of S. B. No. 15.

Senate Bill 342 with House Amendments

Senator Bell called S. B. No. 342 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Bell moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hazlewood	Rutherford
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	

Absent

Hardeman	Sadler
Phillips	Willis

Absent—Excused

Latimer

Senate Bill 269 with House Amendments

Senator McDonald called S. B. No. 269 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator McDonald moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moffett
Bell	Moore
Bracewell	Parkhouse
Corbin	Rogers
Fuller	of Childress
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Secrest
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert

Nays—4

Ashley	Phillips
Colson	Shireman

Absent

Hardeman	Willis
Rogers of Travis	

Absent—Excused

Latimer

Motion to Place Senate Bill 186 on Second Reading

Senator Bracewell asked unanimous consent to suspend the regular order of business to take up for consideration at this time S. B. No. 186.

There was objection.

Senator Bracewell then moved to suspend the regular order of business to take up for consideration at this time S. B. No. 186.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—16

Bell	Rogers
Bracewell	of Childress
Corbin	Rogers of Travis
Fuller	Rutherford
Hardeman	Sadler
Hazlewood	Secrest
Kazen	Shireman
Kelley	Wagonseller
Lane	

Nays—11

Aikin	Parkhouse
Ashley	Phillips
Lock	Russell
Martin	Strauss
Moffett	Weinert
Moore	

Absent

Colson	Willis
McDonald	

Absent—Excused

Latimer

(Senator Martin in the Chair.)

Motion to Place House Bill 69 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business to take up for consideration at this time H. B. No. 69.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business to take up H. B. No. 69 for consideration at this time.

The motion was lost by the following vote:

Yeas—9

Moore	Strauss
Parkhouse	Wagonseller
Phillips	Weinert
Russell	Willis
Secrest	

Nays—17

Aikin	Lane
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Rutherford
Kelley	Sadler

Absent

Colson	Lock
Kazen	Shireman

Absent—Excused

Latimer

House Bill 39 on Second Reading

Senator Bell moved to suspend the regular order of business to take up

for consideration at this time H. B. No. 39.

The motion prevailed by the following vote:

Yeas—18

Bell	Parkhouse
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Kelley	Rutherford
Lane	Strauss
Lock	Wagonseller
Moffett	Weinert
Moore	

Nays—9

Aikin	Phillips
Ashley	Sadler
Hardeman	Secrest
Martin	Willis
McDonald	

Absent

Hazlewood	Shireman
Kazen	

Absent—Excused

Latimer

The presiding officer laid before the Senate for consideration at this time H. B. No. 39. (The bill having been read the second time on Thursday, May 7, 1953, and laid before the Senate on Wednesday, May 13, 1953 and again on Thursday, May 14, 1953, with an amendment by Senator Ashley pending.)

Question—Shall the amendment by Senator Ashley to H. B. No. 39 be adopted?

(President in the Chair.)

On motion of Senator Bell, the amendment was tabled by the following vote:

Yeas—23

Aikin	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hazlewood	Russell
Kelley	Rutherford
Lane	Secrest
Lock	Strauss
Martin	Wagonseller
Moffett	Weinert

Nays—5

Ashley	Sadler
Hardeman	Willis
McDonald	

Absent

Kazen	Shireman
-------	----------

Absent—Excused

Latimer

Senator Bell offered the following amendment to the bill:

Amend H. B. No. 39, page 3, Section 3, by striking out the words and figures "Five Dollars (\$5)" wherever they appear and inserting in lieu thereof the words and figures "Twenty Dollars (\$20.00)."

On motion of Senator Aikin the amendment was tabled by the following vote:

Yeas—19

Aikin	Phillips
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Rutherford
Lane	Shireman
Lock	Strauss
Martin	Wagon seller
McDonald	Weinert
Moore	Willis

Nays—10

Ashley	Moffett
Bell	Parkhouse
Bracewell	Russell
Corbin	Sadler
Hazlewood	Secrest

Absent

Colson

Absent—Excused

Latimer

Senator Ashley offered the following amendment to the bill:

Amend House Bill No. 39 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. House Bill No. 223, Chapter 141, Acts of the 52nd Legislature, Regular Session, 1951, is hereby repealed.

Sec. 2. Sections 140, 141, and 142, Article XV of Senate Bill No. 172, Chapter 421, Acts of the 50th Legis-

lature, Regular Session, 1947, as originally enacted as part of the Uniform Act Regulating Traffic on Highways, are hereby re-enacted to read as follows:

"Sec. 140. Vehicles Without Required Equipment or in Unsafe Condition. No person shall drive or move on any highway any motor vehicle, trailer, semitrailer, or pole trailer, or any combination thereof unless the equipment upon any and every said vehicle is in good working order and adjustment as required in this Act and said vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the highway.

"Sec. 141. Inspection by Officers of the Department. The Director, members of the Texas Highway Patrol, and such other officers and employees of the department as the director may designate, may at any time upon reasonable cause to believe that a vehicle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the driver of such vehicle to stop and submit such vehicle to an inspection and such test with reference thereto as may be appropriate.

"Sec. 142. Owners and Drivers to Comply with Inspection Laws. No person driving a vehicle shall refuse to submit such vehicle to an inspection and test when required to do so by the director or an authorized officer or employee of the department."

On motion of Senator Bell, the amendment was tabled by the following vote:

Yeas—15

Bell	Moore
Bracewell	Parkhouse
Corbin	Rogers of Travis
Fuller	Rutherford
Hazlewood	Shireman
Kazen	Strauss
Kelley	Wagon seller
Lane	

Nays—14

Aikin	Rogers
Ashley	of Childress
Colson	Russell
Hardeman	Sadler
Lock	Secrest
Martin	Weinert
McDonald	Willis
Phillips	

Absent

Moffett

Absent—Excused**Latimer**

Senator Sadler offered the following amendment to the bill:

Amend H. B. 39, Sec. 140 (A), page 1, line 48, insert the words "motor vehicles" following the words "inspection of" and preceding the word "trailers."

Question—Shall the amendment by Senator Sadler to H. B. No. 39 be adopted?

Senate Bill 350 on First Reading

Senator Aikin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Ashley	Parkhouse
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused**Latimer**

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Aikin:

S. B. No. 350, A bill to be entitled "An Act providing for the sale and transfer by Texas Agricultural and Mechanical College System, College Station, Texas, of certain lands situated in the counties of McLennan and Coryell, State of Texas, known as the Bluebonnet Ordnance Plant, to the United States Air Force for and in consideration of suitable compensation to the Texas Agricultural and Mechanical College System, College Station, Texas; authorizing and em-

powering the Board of Directors of the Texas Agricultural and Mechanical College System to convey and transfer the above-named properties and authorizing the President of said Board to execute a deed of conveyance; providing for the disposition of payment received from the United States; and declaring an emergency."

To the Committee on Educational Affairs.

House Bill 163 Ordered Not Printed

On motion of Senator Hardeman, and by unanimous consent of the Senate, H. B. No. 163 was ordered not printed.

Senate Concurrent Resolution 57

Senator McDonald offered the following resolution:

S. C. R. No. 57, Recalling S. B. No. 74 from the Governor's office.

Be it resolved by the Senate and the House of Representatives concurring,

That the Governor be and is hereby requested to return to the Senate, Senate Bill No. 74 for correction and

That the signatures of the presiding officers of the House and Senate be erased from the bill.

The resolution was read.

On motion of Senator McDonald, and by unanimous consent, the resolution was considered immediately and was adopted.

House Bills and Resolutions on First Reading

The following bills and resolutions, received from the House, were read first time and were referred to the committees indicated:

H. B. No. 141, to Committee on Finance.

H. B. No. 454, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 31, to Committee on Judicial Districts.

H. B. No. 37, to Committee on Finance.

H. B. No. 66, to Committee on Educational Affairs.

H. B. No. 72, to Committee on Civil Jurisprudence.

H. B. No. 93, to Committee on Criminal Jurisprudence.

H. C. R. No. 105, to Committee on Educational Affairs.

H. C. R. No. 110, to Committee on Educational Affairs.

H. B. No. 110, to Committee on Judicial Districts.

H. B. No. 114, to Committee on Finance.

H. B. No. 121, to Committee on State Affairs.

H. B. No. 135, to Committee on Banking.

H. B. No. 138, to Committee on Judicial Districts.

H. B. No. 145, to Committee on Educational Affairs.

H. B. No. 232, to Committee on Civil Jurisprudence.

H. B. No. 274, to Committee on Educational Affairs.

H. B. No. 279, to Committee on Civil Jurisprudence.

H. B. No. 296, to Committee on Criminal Jurisprudence.

H. B. No. 298, to Committee on Criminal Jurisprudence.

H. B. No. 297, to Committee on Criminal Jurisprudence.

H. B. No. 299, to Committee on Criminal Jurisprudence.

H. B. No. 315, to Committee on State Highways and Motor Traffic.

H. B. No. 380, to Committee on Educational Affairs.

H. B. No. 398, to Committee on Civil Jurisprudence.

H. B. No. 402, to Committee on Public Health.

H. B. No. 422, to Committee on Civil Jurisprudence.

H. B. No. 427, to Committee on Stock and Stock Raising.

H. B. No. 448, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 449, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 450, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 451, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 452, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 459, to Committee on Public Debts, Claims and Accounts.

H. B. No. 473, to Committee on Educational Affairs.

H. B. No. 482, to Committee on Civil Jurisprudence.

H. B. No. 498, to Committee on State Highways and Motor Traffic.

H. B. No. 526, to Committee on Game and Fish.

H. B. No. 527, to Committee on Game and Fish.

H. B. No. 571, to Committee on Judicial Districts.

H. B. No. 576, to Committee on Educational Affairs.

H. B. No. 588, to Committee on Judicial Districts.

H. B. No. 636, to Committee on State Highways and Motor Traffic.

H. B. No. 648, to Committee on Educational Affairs.

H. B. No. 661, to Committee on Civil Jurisprudence.

H. B. No. 712, to Committee on State Affairs.

H. B. No. 753, to Committee on Civil Jurisprudence.

H. B. No. 755, to Committee on Educational Affairs.

H. B. No. 773, to Committee on Civil Jurisprudence.

H. B. No. 780, to Committee on Finance.

H. B. No. 804, to Committee on Finance.

H. B. No. 823, to Committee on Counties and County Boundaries.

H. B. No. 850, to Committee on State Affairs.

H. B. No. 854, to Committee on Counties and County Boundaries.

H. B. No. 898, to Committee on Game and Fish.

H. B. No. 901, to Committee on Game and Fish.

H. B. No. 905, to Committee on Counties and County Boundaries.

H. B. No. 906, to Committee on State Affairs.

H. B. No. 908, to Committee on Finance.

H. B. No. 909, to Committee on State Affairs.

H. B. No. 914, to Committee on Counties and County Boundaries.

H. B. No. 915, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 918, to Committee on Game and Fish.

H. B. No. 866, to Committee on State Affairs.

Conference Committee on House Bill 4

Senator Lock called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 4 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Lock, Aikin, Lane, Bracewell and Fuller.

Adjournment

On motion of Senator Weinert, the

Senate at 12:54 o'clock p. m. adjourned until 9:00 o'clock a. m. tomorrow.

Record of Vote

Senator Willis asked to be recorded as voting "nay" on the motion to adjourn.

Appendix

Communication from Senator Dorsey B. Hardeman

The following communication from Senator Dorsey B. Hardeman was read and was ordered printed in the Journal:

May 18, 1953.

Honorable Ben Ramsey, President of the Senate, and
Members of the Senate,
Austin, Texas.

Dear Friends:

On Texas Independence Day you complimented me by unanimously inviting me to address the Senate and authorizing the inclusion of my remarks in the Journal, and, for which, I am humble and grateful.

Since my talk was made without benefit of any notes or written memorandum—not having been given any advance notice of the invitation—and lacking the inspiration of the occasion at this time, I do not feel that I am able to reproduce my remarks, with reasonable accuracy, for the printed page.

I appreciate the honor bestowed on me, however, and I regret that I do not feel qualified to comply with the unanimous request of the Senate. Your kindness, thus extended, will be among my most treasured memories.

Sincerely yours,

DORSEY B. HARDEMAN.

In Memory of
Mr. Ben Dobyns Donnell

Senator Moffett offered the following resolution:

(Senate Resolution 279)

Whereas, Mr. Ben Dobyns Donnell departed this life on Friday, March 28, 1952, and the City of Wichita Falls in the State of Texas thereby lost an eminently distinguished and widely beloved citizen; and

Whereas, Mr. Ben Dobyns Donnell was born in Greensburg, Indiana, May 28, 1888, and began his newspaper career as a reporter for his home town paper, the Greensburg Daily News. He soon followed the advice of another newspaper editor and decided to go West in the early years of this century. After coming to Texas, Mr. Donnell worked for the Fort Worth Star-Telegram, the San Angelo Daily News and the Fort Worth Record. After short periods of service with these newspapers he became associated with the Wichita Falls Daily Times. This association had been continuous since 1910. His ability and assiduity were soon recognized and he received continuous promotions until, at the time of his death, he was editor of the Times and Record-News, and Vice-President of the Times Publishing Company of Wichita Falls, Texas; and

Whereas, Mr. Donnell was an outstanding leader in civic affairs, having for the past five years been Chairman of the Housing Authority of Wichita Falls; and

Whereas, Mr. Donnell was a member of the First Presbyterian Church of Wichita Falls, the American Society of Newspaper Editors, the Masonic Lodge and the Rotary Club; and

Whereas, Mr. Donnell loved his fellow man in a most sincere and genuine manner, and continuously and constantly showed that he liked to be kind to people. Although he was born in another State, there are few native Texans who are better Texans than Mr. B. D. Donnell; and

Whereas, Mr. Donnell is survived by his widow, Mrs. Mathilde Christensen Donnell; three daughters, Mrs. Mary Elizabeth Harvey, Mrs. Mathilde E. Greenwood, Mrs. Jennie June Boone; and three sons, William L. Donnell, Ben Donnell, Jr., and Ralph M. Donnell; now, therefore, be it

Resolved, By the members of the Senate of the 53rd Legislature, that they express to the surviving members of the family of Mr. B. D. Donnell their sincerest sympathy, and wish to further express their belief that not only the City of Wichita Falls but the entire State of Texas has sustained a definite loss in the passing of this outstanding citizen; and be it further

Resolved, That a page of the Senate Journal of today be dedicated to his memory, and that when the Senate adjourns today it do so in respect to the memory of Mr. Ben Dobyns Donnell.

MOFFETT

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Lane, Latimer, Lock, Kelley, Martin, McDonald, Moore, Parkhouse, Phillips, Rogers of Childress, Rogers of Travis, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Moffett, the names of the Lieutenant Governor and all of the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.